EXHIBIT "D"

FILED

Of Counsel:
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   KEKINA & FAIRBANKS

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L. MOCK CHEW, CLERK
THIRD CIRCUIT COURT
STATE OF HAWAII

Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

JEANNETTE MILLER,)	CIVIL NO. 05-1-0149K (Kona)
)	(Other Non-Vehicle Tort)
Plaintiff,)	
)	COMPLAINT; SUMMONS
vs.)	
)	
STATE OF HAWAII; DOES 1-20)	
inclusive,)	
)	
Defendants.)	
)	

COMPLAINT

Plaintiff JEANNETTE MILLER, for complaint against Defendant STATE

OF HAWAII, alleges as follows:

1.   Plaintiff JEANNETTE MILLER is a resident of California.

2.   Defendant STATE OF HAWAII maintains and operates small boat

harbors in Hawaii, including at Kailua-Kona.

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3.   On August 27, 2003, Plaintiff was assisting with the launching of a motor vessel at the Kailua-Kona boat ramp, which is one of the facilities under the authority of the State of Hawaii.

4.   On information and belief, STATE OF HAWAII was negligent in the design and/or maintenance of the boat ramp, thereby producing an unreasonably dangerous condition.

5.   Plaintiff slipped and fell on her face on the boat ramp during the vessel launching operation and was seriously injured.

6.   Defendant STATE OF HAWAII's negligence was a proximate cause of Plaintiff's injury.

7.   As a result of the injury, Plaintiff has incurred past and future medical expenses in an amount to be determined at the time of trial.

8.   As a further result of her injury, Plaintiff has lost earnings and earning capacity in an amount to be determined at the time of trial.

9.   As a further result of her injury, Plaintiff has suffered physical and emotional pain and suffering, which will continue, in an amount to be determined at the time of trial.

WHEREFORE, Plaintiff respectfully prays judgment against Defendant STATE OF HAWAII as follows:

A.   for general and special damages;

B.   for costs of suit herein; and

C.   for such other further relief as the Court deems just and proper.

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DATED: Honolulu, Hawaii, August 22, 2005.

PATRICK F. McTERNAN
HOWARD G. McPHERSON
Attorneys for Plaintiff